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July 24, 2019

## VIA ECF

The Honorable Colleen McMahon  
 U.S. District Court for the Southern District of New York  
 Daniel Patrick Moynihan U.S. Courthouse  
 500 Pearl Street - Room 2550  
 New York, New York 10007

Re: *In re Allergan PLC Securities Litigation*, No. 18 Civ. 12089 (CM)

Dear Chief Judge McMahon:

We represent Defendants in the above-captioned putative securities class action, for which Defendants' motion to dismiss the Consolidated Amended Class Action Complaint is fully briefed. We write to advise the Court that today, the FDA and Allergan plc ("Allergan") issued respectively the enclosed separate communications. The FDA's announcement notes that, "[b]ased on new data," the FDA requested that Allergan recall certain of its textured breast implants in the United States.<sup>1</sup> Allergan announced a voluntary worldwide recall of its BIOCELL textured breast implant products.

The FDA's analysis and request were first communicated to Allergan this week. The FDA's most recent prior announcement regarding breast implants was from May 2, 2019, which is discussed in Defendants' motion papers (ECF No. 74 at 6, 9 & Exhibit 35).

<sup>1</sup> The FDA's announcement can also be found at <https://www.fda.gov/news-events/press-announcements/fda-takes-action-protect-patients-risk-certain-textured-breast-implants-requests-allergan>.

Hon. Colleen McMahon, p. 2

Defendants remain available at the Court's convenience should it have any questions.  
We thank the Court for its consideration of this submission.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Meredith E. Kotler", with a stylized flourish at the end.

Meredith E. Kotler

Encls.